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FILED
Clerk
District Court

OCT 18 2007

For The Northern Mariana Islands
By _____
(Deputy Clerk)

7 Attorney's for United States of America

8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN MARIANA ISLANDS

10 UNITED STATES OF AMERICA,) CIVIL CASE NO. 99-0024
11 Plaintiff,)
12 vs.)
13 FRANCISCA S. BARCINAS,)
14 Defendant,)
15 COMMUNITY ALTERNATIVES)
16 KENTUCKY, INC.)
17 aka RESCARE, INC.,)
18 Garnishee.)

**FINAL ORDER IN
CONTINUING GARNISHMENT**

19 FINAL ORDER IN CONTINUING GARNISHMENT
20 This matter is before the Court for consideration of the entry of a final order in
21 continuing garnishment pursuant to Section 3205 of the Federal Debt Collection Procedures Act
22 of 1990, 28 U.S.C. § 3205, against the non-exempt earnings of the judgment defendant,
23 FRANCISCA S. BARCINAS.

24 An Application of Writ of Continuing Garnishment directed to Garnishee has been duly
25 issued and served upon the Garnishee. Pursuant to the Writ of Continuing Garnishment, the
26 Garnishee filed an Answer stating that at the time of the service of the Writ it had in its
27 possession or under its control personal property belonging to and due defendant, in the form of
28 earnings.

1 The defendant was served with a copy of the Writ of Continuing Garnishment and
2 notified of her right to a hearing. The defendant has not requested a hearing to determine exempt
3 property.

4 Whereupon the Court, having considered the Application for a Writ of Continuing
5 Garnishment against the earnings of the Defendant, the Answer of the Garnishee, and noting that
6 the defendant, FRANCISCA S. BARCINAS, has not exercised her right to request a hearing
7 now finds that the entry of a final order of continuing garnishment is in all respects proper.

8 IT IS THEREFORE ORDERED Garnishee shall pay to plaintiff the lesser of a) 25% for
9 any workweek, pursuant to 15 U.S.C. § 1673(a), of defendant's disposable earnings or b) the
10 amount by which defendant's disposable earnings exceed 30 times the federal minimum hourly
11 wage. "Disposable earnings" are those earnings remaining after deductions of any amount
12 required by law to be withheld, such as social security and withholding taxes. These payments
13 shall be made at the same time the employee is paid and shall continue until the debt to the
14 plaintiff is paid in full or the Garnishee no longer has custody, possession or control of any
15 property belonging to the debtor or until further Order of this Court. Payments shall be made
16 payable to the "**U.S. Department of Justice**" and sent to the U.S. Attorney's Office, Sirena
17 Plaza, Suite 500, 108 Hernan Cortez Avenue, Hagåtña, Guam 96910.

18 IT IS FURTHER ORDERED that any amounts which the Garnishee may be holding
19 pursuant to the Writ of Continuing Garnishment shall immediately be turned over to the U.S.
20 Attorney's Office at the above address.

21 DATED this 18TH day of OCTOBER, 2007.

Alex R. Munson
ALEX R. MUNSON
Chief Judge
U.S. District Court for the Northern
Mariana Islands